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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,187	03/26/2004	Oh Takahashi	04198/LH	8018

1933 7590 02/23/2007
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC
220 Fifth Avenue
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NEW YORK, NY 10001-7708

EXAMINER

WONG, WILLIAM

ART UNIT	PAPER NUMBER
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2178

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/810,187	Applicant(s) TAKAHASHI ET AL.	
	Examiner William Wong	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>07/07/2004 and 01/12/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive following communication: preliminary amendment filed August 18, 2004 to application filed on March 26, 2004; IDS filed on July 7, 2004 and January 12, 2006. Claims 1-18 are pending and have been examined.

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copies have been filed on 03/36/2004.

Information Disclosure Statement

2. The information disclosure statements (IDS) submitted were filed on 07/07/2004 and 01/12/2006. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

3. Figures 2-4, 5A, 5B and 26 should be designated by a legend such as -- Prior Art-- because only that which is old is illustrated (drawings only describe the Exif standard). See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any

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portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities:
 - On page 21 lines 7-10, the specification states that when the display pixel size "x2, y2" is *smaller* than the display screen, the image is reduced shown in figure 18A. In other words, when the image is *smaller* than the display screen the image is reduced. However, figures 17 and 18A indicate that this should be when the image is *larger* instead of *smaller*.
 - On page 21 lines 14-18, the specification states that when the display pixel size "x2, y2" is *larger* than the display screen, the image is enlarged shown in figure 18B. In other words, when the image is *larger* than the display screen the image is enlarged. However, figures 17 and 18A indicate that this should be when the image is *smaller* instead of *larger*.
 - On page 23 line 13, the word "form" should be "from".
 - The following abbreviations should be spelled out with the abbreviations in parenthesis following:
 - GPS (line 2 on page 26)
 - DSP (line 2 on page 27)
 - NAVSTAR (line 13 on page 27)
 - DCF (line 3 on page 34)

- Exif (line 4 on page 34)
- JPEG (line 5 on page 34)
- MPEG (line 19 on page 40).

Appropriate correction is required.

Claim Objections

5. Claims 1-10, 12, 13, 15, 17, and 18 are objected to because of the following informalities:

- As per claim 1, there is insufficient antecedent basis for the limitation, "the image display control information", in the claim. It is suggested that "the image display control information" be changed to "an image display control information".
- As per claim 2, there is insufficient antecedent basis for the limitation, "the text description area", in the claim.
- As per claim 3, there is insufficient antecedent basis for the limitation, "the parameters", in the claim.
- As per claim 4, there is insufficient antecedent basis for the limitation, "the display speed", in the claim.
- As per claim 5, there is insufficient antecedent basis for the limitation, "the coordinates", in the claim.
- As per claim 6, there is insufficient antecedent basis for the limitation, "the coordinates", in the claim.

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- As per claim 7, there is insufficient antecedent basis for the limitation, "the actual location", in the claim. "comprises;" on line 4 should be "comprising:". "and" should be appended after "location;" on line 6. "location;" should be "location," on line 10.
- As per claim 8, "comprises;" on line 2 should be "comprising:". "and" should be appended after "device;" on line 7. "means;" should be "means," on line 13.
- As per claim 9, "further comprises:" on line 4 should be "and further comprising:". "network;" should be "network," on line 6.
- As per claim 10, "further comprises:" on line 2 should be "further comprising:".
- As per claim 12, there is insufficient antecedent basis for the limitations, "the image display control information" and "the text description area".
- As per claim 13, there is insufficient antecedent basis for the limitations, "the parameters" and "the display control processing", in the claim.
- As per claim 15, there is insufficient antecedent basis for the limitation, "the starting position", in the claim.
- As per claim 17, there is insufficient antecedent basis for the limitation, "The display control method", in the claim. "comprises;" on line 1 should be "comprising:". There is insufficient antecedent basis for the limitation, "the image display control information" in line 5, in the claim.
- As per claim 18, there is insufficient antecedent basis for the limitation, "the image display control information" in line 5, in the claim. It is

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suggested that "for making a computer execute" in line 1 be revised to better represent that which

Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 12-16 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 12-16 recite the intention of the method (e.g. in claim 12, "... for displaying an image..."), but omits the steps which the method comprises.

Claim Rejections - 35 USC § 101

8. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 18 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Unless structurally and functionally interrelated to some computer readable medium to realize its functionality, the program claimed is considered as nonstatutory functional descriptive material.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1-3, 10-13, and 17-18 are rejected under 35 U.S.C. 102(b) as being by Kuwata et al. (US 2002/0030833 A1).

As per independent claim 1, Kuwata teaches a **display processing device comprising: a storage means for storing an image file** (in paragraph 66 on page 5 and paragraph 82 on page 7); **a display means for displaying an image based on said image stored in said storage means** (paragraph 80 on page 6); **and a display control means for controlling the display of said image based on the image display control information included in an image file corresponding to the image displayed on said display means** (in paragraph 30 on pages 3-4, paragraph 66 on page 5 and paragraphs 80-82 on pages 6-7).

As per claim 2, the rejection of claim 1 is incorporated and Kuwata further teaches **wherein said image display control information is inserted into the text description area included in said image file** (in paragraphs 70-72 on pages 5-6).

As per claim 3, the rejection of claim 1 is incorporated and Kuwata further teaches **wherein said image display control information includes information to designate a display control method of said image and the**

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parameters used for the display control processing (in paragraph 72 on page 6 and paragraph 82 on page 7), **and said display control means controls the display of the image based on said parameters** (in paragraphs 71-72 on pages 5-6 and paragraph 80 on page 6).

As per claim 10, the rejection of claim 1 is incorporated and Kuwata further teaches **an image input means** (in paragraph 81 on page 7); **an image display control information input means for inputting said image display control information** (in paragraph 82 on page 7 and paragraph 139 on page 12); **and an image file generation means for generating an image file including the image inputted by said image input means and the image display control information inputted by said image display information input means** (in paragraph 80 on page 6 and paragraph 82 on page 7).

As per claim 11, the rejection of claim 10 is incorporated and Kuwata further teaches **wherein said image input means includes an image pick-up means** (in paragraph 81 on page 7).

Independent claim 12 and claim 13 are the method claims corresponding to the device claims 2 and 3 respectively, and are rejected under the same reasons set forth in connection with the rejection of claims 2 and 3. The storage means of Kuwata includes **memory** (in paragraph 99, *storage device (memory card)*)).

As per independent claim 17, Kuwata teaches **a display control method comprising the steps of: a directional step for directing the display of an image based on an image file** (in paragraph 80 on page 7); **an extraction step**

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for extracting the image display control information included in the image file when display of the image is directed in said directional step (in paragraph 82 on page 7 and in paragraph 30 on pages 3-4); **and a control step for controlling the display of said image based on the image display control information extracted in said extraction step** (in paragraphs 80 and 82 on pages 6-7).

Independent claim 18 is the program claim corresponding to the method claim 17, and is rejected under the same reasons set forth in connection with the rejection of claim 17. Kuwata further teaches **a display processing program for making a computer execute** (in paragraphs 26 and 30 on pages 3-4).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 4, 5, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwata et al. (US 2002/0030833 A1) in view of Kurashina (US 6,297,836 B1).

As per claim 4, the rejection of claim 3 is incorporated, but Kuwata does not specifically teach **to scroll an image and express the scroll speed**.

However, Kurashina teaches to scroll an image (in column 2 lines 39-47) and

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express the scroll speed (in column 4 lines 65-67 with column 5 lines 1-6 and in column 44 lines 3-14). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the display control method (which includes the control parameters) of Kuwata with the scrolling and scroll speed designation of Kurashina to allow the user to more efficiently view an image where the size of the display screen is small relative to the size of the image (Kurashina, column 1 lines 66-67 with column 2 lines 1-5), and to store optimal or desired control settings all within one file (Kuwata, paragraph 82 on page 7).

As per claim 5, the rejection of claim 3 is incorporated, but Kuwata does not specifically teach **to scroll an image and express at least the starting coordinates for the scrolling**. However, Kurashina teaches to scroll an image (in column 2 lines 39-47) and express at least the starting coordinates for the scrolling (in column 3 lines 24-36, *starting position* and column 22 lines 28-27, position indicated by coordinates). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the display control method (which includes the control parameters) of Kuwata with the scrolling and starting scroll coordinates of Kurashina to allow the user to more efficiently view an image where the size of the display screen is small relative to the size of the image (Kurashina, column 1 lines 66-67 with column 2 lines 1-5), and to store optimal or desired control settings all within one file (Kuwata, paragraph 82 on page 7).

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Claims 14 and 15 are the method claims corresponding to the device claims 4 and 5 respectively, and are rejected under the same reasons set forth in connection with the rejection of claims 4 and 5.

13. Claims 6 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwata et al. (US 2002/0030833 A1) in view of Slatter (US 2003/0025812 A1).

As per claim 6, the rejection of claim 3 is incorporated, but Kuwata does not specifically teach **enlarging or reducing an image and expressing the coordinates for performing enlarged or reduced display in said image**. However, Slatter teaches enlarging or reducing an image (in paragraph 13 on page 2, *zoom in and out*) and expressing the coordinates for performing enlarged or reduced display in said image (in paragraph 16 on page 2, *crop boundary* in view of paragraph 4 on page 1, *X, Y position* or coordinates). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the display control method (which includes the control parameters) of Kuwata with the image enlarging and reducing of Slatter to allow the user to easily and accurately focus on areas of interest within an image (Slatter, paragraphs 12-13 on page 2), and to store optimal or desired control settings all within one file (Kuwata, paragraph 82 on page 7).

Claim 16 is the method claim corresponding to the device claim 6, and is rejected under the same reasons set forth in connection with the rejection of claim 6.

14. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwata et al. (US 2002/0030833 A1) in view of Muramatsu (US 2002/0173906 A1).

As per claim 7, the rejection of claim 1 is incorporated, but Kuwata does not specifically teach **positional information included in image display information; a positional information acquisition means for acquiring the positional information of an actual location; and a map information storage means for storing a range of map information including at least the positional information included in said image display information and the positional information of said actual location, wherein said display control means displays said map information on said display means with display control contents based on positional information included in said image display information and the positional information of said actual location.** However, Muramatsu teaches positional information included in image display information (in paragraph 12 on page 1 and figure 16); a positional information acquisition means for acquiring the positional information of an actual location (in paragraph 12 on page 1 and paragraph 36 on page 2); a map information storage means for storing a range of map information including at least the positional information included in image display information and the positional information of said actual location (in paragraph 76-77 on page 4 and paragraph 12 on page 1), wherein a display control means displays the map information on a display means with display control contents based on the positional information

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included in said image display information and the positional information of said actual location (in paragraph 12 on page 1, paragraph 71 on page 4, and figure 17). It would have been obvious to one of ordinary skill in the art to modify the teachings of Kuwata with the positional information, positional information acquisition means, map information storage means, and display control of Muramatsu to provide clear and recognizable images on the screen to aid in navigation (Muramatsu, paragraph 11).

As per claim 8, the rejection of claim 7 is incorporated. Kuwata does not specifically teach **a positional information transmitting means for transmitting the positional information included in said image display control information and the position information acquired by said positional information acquisition means to a map information database of an exterior device; and a map information receiving means for receiving said map information replies from said map information database which receives the positional information included in said image display control information transmitted by said positional information transmitting means and the positional information acquired by said positional information acquisition means, wherein said map information storage means stores the map information received by said map information receiving means.**

However, Muramatsu teaches a positional information transmitting means for transmitting the positional information included in said image display control information and the position information acquired by said positional information acquisition means to a map information database of an exterior device (in

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paragraph 12 on page 1 and paragraph 37-39 on page 2); and a map information receiving means for receiving said map information replies from said map information database which receives the positional information included in said image display control information transmitted by said positional information transmitting means and the positional information acquired by said positional information acquisition means (in paragraph 12 on page 1 and paragraph 77 on page 4), wherein said map information storage means stores the map information received by said map information receiving means (in paragraph 76-77 on page 4 and paragraph 12 on page 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kuwata with the positional information transmitting means, map information database, and map information receiving means of Muramatsu to reduce the amount of storage space required on the display-processing device and provide a centralized location for the map information.

As per claim 9, the rejection of claim 8 is incorporated, but Kuwata does not specifically teach **wherein said map information database is established on a communications network connected through a wireless communications network, further comprises: a wireless communications means for communicating with said wireless communications network, wherein at least any said positional information transmitting means and said map information receiving means transmits or receives information through said wireless communications means.** However, Muramatsu teaches wherein said map information database is established on a

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communications network connected through a wireless communications network (in paragraph 37-39 on page 2 and paragraph 11 on page 1), further comprises: a wireless communications means for communicating with said wireless communications network (in paragraph 12 on page 1), wherein at least any said positional information transmitting means and said map information receiving means transmits or receives information through said wireless communications means (in paragraph 12 on page 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kuwata with the wireless communications network and wireless communication means of Muramatsu to increase the portability of the display-processing device.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5373333 A	Presentation apparatus	Kawada; Tadamichi et al.
US 5384909 A	Precision automatic scrolling for an image display system	Brown; Jerry R.
US 5691743 A	Image display device	Kusano; Satoshi
US 6133947 A	Image processing system capable of displaying photographed image in combination with relevant map image	Mikuni; Shin
US 6222583 B1	Device and system for labeling sight images	Matsumura; Takahiro et al.
US 20010013902 A1	Image sensing apparatus and its control method, and computer readable memory	Kawabe, Takeshi
US 6337697 B1	Method for scrolling automatically on a	Kim; Hyung-gi

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	display device and device therefor	
US 20020027603 A1	Apparatus, method, signal and computer program product configured to provide output image adjustment for image files	Kuwata, Naoki et al.
US 20020097894 A1	System and method for geographical indexing of images	Staas, David et al.
US 20020191087 A1	Communication apparatus and method that link a network address with designated image information	Hashimoto, Yasuhiko et al.
US 20030098885 A1	Scroll control device, method for use in said scroll control device, and communication terminal using said scroll control device	Yabe, Masato
US 6683585 B1	Picture display control system, image signal generating device, and picture display device	Nakano, Takao
US 20040080541 A1	Data displaying device	Saiga, Hisashi et al.
US 20040141069 A1	Adjustment for output image of image data	Nakami, Yoshihiro
US 20040204145 A1	Communication apparatus, communication system, display method, and program	Nagatomo, Shoichi
US 6819356 B1	Image search method in electronic still camera with GPS reception function	Yumoto, Noboru
US 6833865 B1	Embedded metadata engines in digital capture devices	Fuller, Charles et al.
US 6904160 B2	Method for matching geographic information with recorded images	Burgess, Ken L.
US 20060041375 A1	Automated georeferencing of digitized map images	Witmer, Alan et al.

Smith, B. K., Blankinship, E., Ashford, A., Baker, M., and Hirzel, T. 1999. Inquiry with imagery: historical archive retrieval with digital cameras. In *Proceedings of the Seventh ACM international Conference on Multimedia (Part 1)* (Orlando, Florida, United States, October 30 - November 05, 1999). MULTIMEDIA '99. ACM Press, New York, NY, 405-408. DOI=<http://doi.acm.org/10.1145/319463.319675>

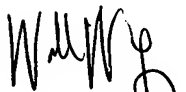
16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William Wong whose telephone number is

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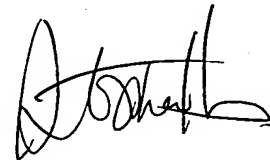
571-270-1399. The examiner can normally be reached on M-F 7:30-5:00 EST with every other Friday 7:30-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



William Wong
Patent Examiner



STEPHEN HONG
SUPERVISORY PATENT EXAMINER